

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

Christopher Cantwell,
Plaintiff,

Civil Action No.

v.

Judge: Norman K. Moon

Emily Florence Gorcenski
And
Kristopher Goad
Defendants.

Amended Complaint

This action seeks relief for inter alia, the malicious prosecution of the Plaintiff by the Defendants, Gorcenski's stalking, and relief for their deprivation on his civil rights.

Nature of the Action

Plaintiff Chris Cantwell was slated to be a speaker at a rally in Charlottesville on August 12, 2017. Defendant Gorcenski resolved to "take him out," and enlisted others to assist. Gorcenski was involved with sending a hit squad to attack Cantwell at a fan meet and greet in the Charlottesville Wal Mart parking lot; when they found out he was armed, the sheriff was called on him for brandishing a firearm. That night, Gorcenski sought Cantwell in a crowd of several hundred torchlight marchers and taunted him about the Wal Mart. Later, Cantwell and divers groups and individuals (hereinafter the "Monumentals") participated in a political rally on public property belonging to the Commonwealth of Virginia, pursuant to the rights guaranteed to them by the First Amendment to the United States Constitution and the Constitution of Virginia. Upon reaching the Thomas Jefferson Monument at the Rotunda, they were met by a small group of revolutionary communists, socialists, and/or anarchists (hereinafter ANTIFA). ANTIFA was also exercising rights guaranteed by the First Amendment to the United States Constitution and the Constitution of Virginia. As is their pattern and practice, ANTIFAs attacked the Monumentals. Defendants Gorcenski and Goad subsequently swore out false and fraudulent criminal warrants against Plaintiff, in an effort to stop his exercise of his rights guaranteed by the First Amendment to the United States Constitution and the Constitution of Virginia, and also maliciously punish, discredit, vex, and harass him. The next day, and thereafter, Gorcenski continued stalking Plaintiff.

Jurisdiction and Venue

1. This court has jurisdiction pursuant to 28 U.S.C. 1332, diversity, and also under 28 U.S.C. 1331, cases arising under the Constitution and laws of the United States. Plaintiff is a resident of New Hampshire. Defendants are residents of Virginia, and the amount in controversy exceeds \$75,000.00.
2. Venue is proper in the Western District of Virginia pursuant to 28 U.S.C. 1391(b) because Plaintiff's claims arose in Charlottesville, Virginia.

Parties

3. Plaintiff Christopher Cantwell is a resident of Keene, New Hampshire. Cantwell was to be a speaker at a political rally in Charlottesville on August 12, 2017. He was a mere participant in the August 11, 2017 rally at the Jefferson Monument in Charlottesville. Because of his political positions, he regularly receives dire threats of death and bodily injury. Cantwell presents a podcast and has his own websites. The Radical Agenda is a live, uncensored, and mostly unscripted entertainment program, which is marketed as comedic fiction. It was available in the comedy section of the Roku channel market, and ChristopherCantwell.com was categorized as an "Entertainment Website" on Facebook. That the content is fiction is clearly stated at the beginning of every show. Marketed to mature audiences, the listener or viewer is expected to understand that President Trump is not in fact a "God Emperor" and that "deputizing right wing death squads" and issuing

"hunting licenses" for communists are not serious policy proposals, but rather entertainment, little different than the violence depicted in gangster rap, modern tv, or current vampire or superhero movies. See Exhibit A

4. Defendant Edward Gorcenski is a white male resident of Charlottesville, Virginia who had a name change to Emily Florence Gorcenski, and pretends to be a "transgender woman of color." On August 11, 2017, Gorcenski was wearing black pants, a green t shirt, and carrying a purse on a strap. Exhibit B. She fears "Republicans" seek to assassinate her.



Gorcenski "swore out the warrant against Cantwell. Me. Antifa."



Gorcenski aka Emily G on Twitter, has long been an, and identified as, an Antifa:





Emily G, Cville.  @EmilyGorcenski · 20 Jun 2017

Look, @JackPosobiec, I'm an "antifa"! Tremble at my might, I might get gay cooties on you.



Emily G, Cville.  @EmilyGorcenski

Follow

Replying to @EliMosley_

Wow, six figures! I get that too! Glad I can use my talents for the "antifa."

7:33 AM - 2 Jul 2017

1 Like



1



Certain of Gorcenski's body parts seem themselves to be Antifa.



Emily G, Cville.  @EmilyGorcenski · 4 Aug 2017

Replying to @EmilyGorcenski

I'm definitely getting an antifa tattoo after a12.

Fucking the government already thinks I'm a terrorist anyway.



4



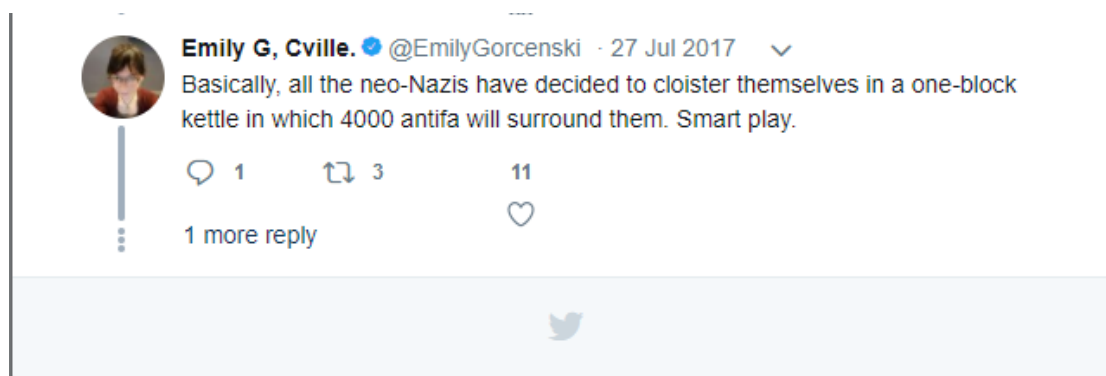
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28





And more ominously, a month before the August 12 rally:



Indeed, on August 23, 2017, Gorcenski herself publicly proclaimed: “Charlottesville is the capital of the Antifa!” Exhibit AA.

5. ANTIFA is an organization of mostly white communists, socialists and anarchists who seek to overt throw the Constitution of the United States. Exhibit F. “Its adherents are predominantly communists, socialists and anarchists who reject turning to the police or the state to halt the advance of white supremacy.” “Who are the Antifa?” Bray, Mark, Washington Post, August 16, 2017. “Some Antifa groups are more Marxist, while others are more anarchist or anti-authoritarian.” “Antifascism is an illiberal politics of social revolutionism applied to fighting the far right, not only literal fascists.” “At the

heart of the antifascist outlook is a rejection of the classical liberal phrase, incorrectly ascribed to Voltaire that” I disapprove of what you say, but I will defend to the death your right to say it.” p. xv, Bray, Mark, The Anti-fascist Handbook.

6. Essentially Bolshevik terrorists, Antifa conspires to silence opposing viewpoints through the use of:

- a. physical attacks;
- b. stalking;
- c. false accusations of criminal conduct, seeking to ruin the target’s life by incarceration;
- d. false accusations of firearm misuse, (swatting), hoping for jail or a police shooting incident; and
- e. internet exposure of personal and location information (doxxing), hoping for a local operative to accomplish one or more of the above.

Exhibit BB. The image is of socialistdogmom with Gorcenski.

Antifa uses the euphemisms “direct action”¹ or “non-platforming”² to refer to these tactics.

To avoid responsibility for their own actions, Antifas sometimes disguise themselves or otherwise conceal their participation. Generally, Antifa initiates violence, and then loudly blames it on their victims, claiming self-defense in the face of the “neo-fascist street violence” that allegedly occurs whenever anyone who opposes Antifa’s views arrives. It is not enough to

¹ See Addendum 1.

² As in denying members of the opposition a platform to speak their views. See Bray, Mark, The Antifascist Handbook, p. 149.

engage in violence; the violence must also be published on the web, and so any violence where Antifas cannot be identified is widely disseminated on the internet. If a video shows Antifas misbehaving, it is edited out, stills that do not contain the misbehavior are released, or the victims blamed, such as “they pepper sprayed themselves.” Antifa operates in local cells called “chapters,” such as Seven Hills Antifa (Richmond, Va.)

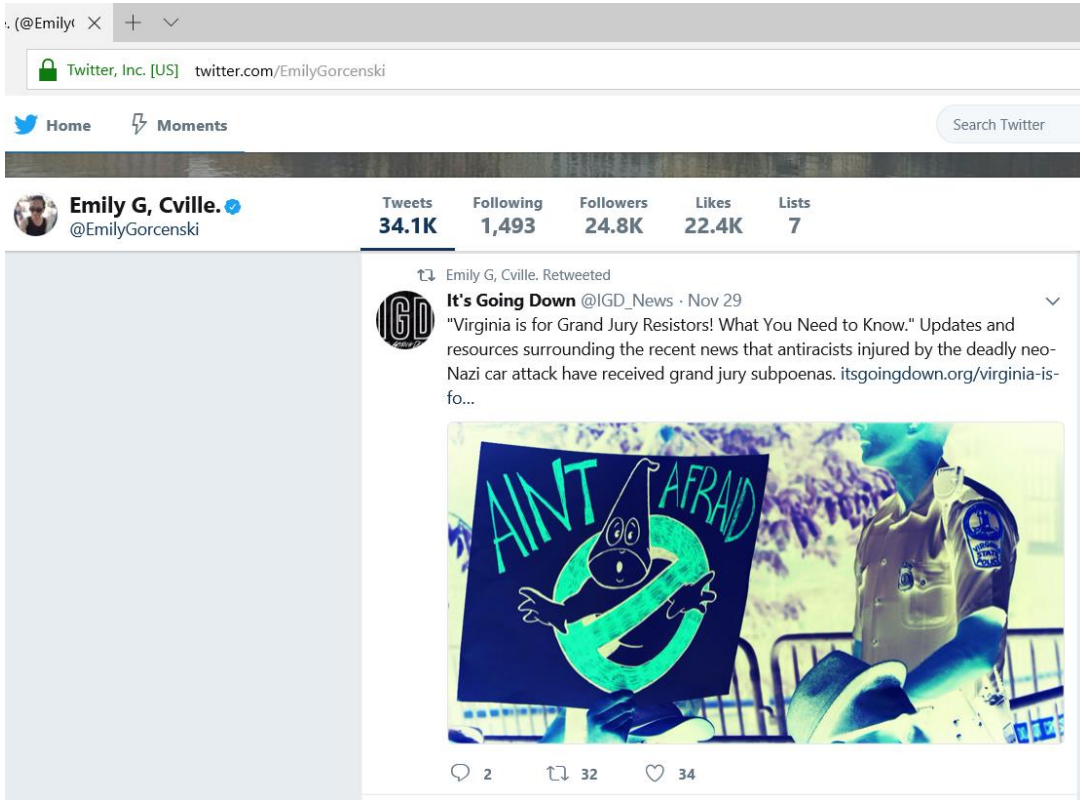
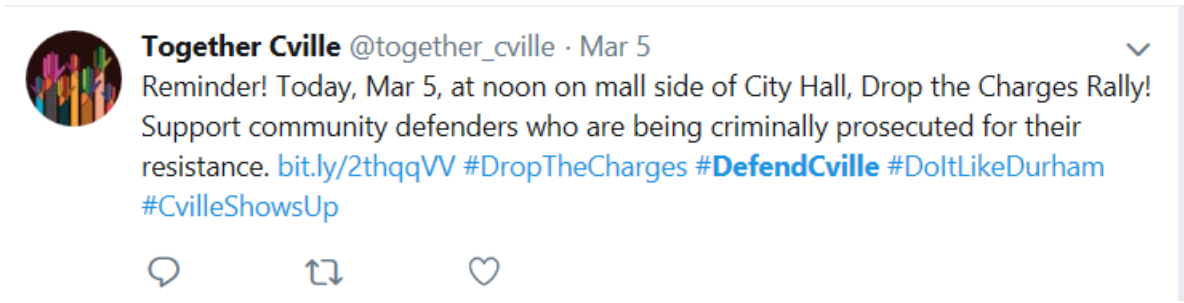
<https://www.facebook.com/AntifaSevenHills/> or Philly Antiracist Action/PhillyAntifa (Philadelphia, Pa.) <https://phillyantifa.org/>. Philly Antifa is a particularly violent chapter. It admits:

Philly Antifa is a Antifascist division operating in Philadelphia, PA and the surrounding area. We are in direct conflict with Racism, Homophobia, Sexism, Anti-Semitism, Islamophobia, Transphobia, and all the various other flavors of Fascism.

Philly Antifa’s facebook page (<https://www.facebook.com/phillyantifa/>) boasts:

Having organized in over 200 communities across North America...

A general catalog of Antifa violence and its violent philosophy can be found at this website: <https://itsgoingdown.org/>. Gorcenski is a frequent contributor. Antifa rationalizes that its “communities” are “under attack,” and that this “attack” justifies violence by “community defenders,”justifying the term “defendeville.”



7. Gorcenski is tied in with Philly Antifa, and strongly believes in gratuitous Antifa violence. Though Gorcenski claims to only be a “Media relations assistant” to Antifa, on August 11, 2017 Gorcenski admitted to being one of the “biggest agitators” in Charlottesville, the capital of Antifa. Exhibit CC. Gorcenski believes in violence.



Emily G, Cville.  @EmilyGorcenski · 18 Mar 2017

Replying to @EmilyGorcenski

Fuck everything about that, @kurteichenwald. At least when you punch a Nazi you don't throw a marginalized community under the bus.

 3

 13


101

 2

 13

100



Emily G (On the Babylonian Video Box)  @EmilyGorcenski · Jan 25


The fact that black bloc, pre-emptive violence is *sometimes necessary* and should be recognized as such is not the same as saying "the first and only thing to do is punch every nazi."

 6

 23

140



Emily G (On the Babylonian Video Box)  @EmilyGorcenski · Jan 25

Note: this thread is about tactics, not outcomes. The tactics of handling Nazis are many and varied.

The outcome must always be the same.

 7

 14

90



On March 16, 2018, Gorcenski retweeted a video of a man being beaten which was posted at itsgoingdown.org.

https://twitter.com/IGD_News/status/974393301942939648

Emily G, Cville. Retweeted



It's Going Down @IGD_News · 4h

Neo-Nazi uber-loser Antonio Foreman, who attended the Unite the Right rally in Charlottesville, as well as LA "Getting Kicked Out of Mom's Basement" Werewolf, run out of #LosAngeles anti-Trump protest.



3 25 70

Making Gorcenki's hit list is pretty easy.

Emily G, Cville. Retweeted



Saladin Ahmed @saladinahmed · Sep 9

this guy's just on TV selling \$19.99 garbage but in the year 2017 I am forced to wonder whether he's a Nazi



20

116

578



Emily G. Cville.  @EmilyGorcenski · Aug 30

The fascist DHS is now branding my friends--who didn't attack anybody and who don't obscure their identity--as extremists, with lies.

The Aug. 9 report by the DHS Office of Intelligence and Analysis was done in coordination with local, state and federal authorities at the Virginia Fusion Center. It stated that white supremacists and anti-fascist “antifa” extremists had clashed twice before in Charlottesville, at a white nationalist rally on May 13 and a Ku Klux Klan gathering July 7. At each event, “anarchist extremists” attacked protesters who had been issued permits, leading to fights, injuries, arrests and at least two felony charges of assault and battery.



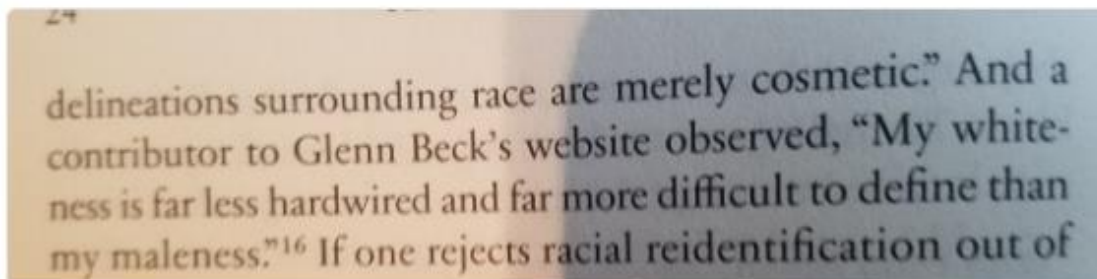
Emily G. Cville. ✓

@EmilyGorcenski

Follow



Ban cis white men 2k17



2:41 PM - 30 Apr 2017

19 Likes



2



19



Emily G. Cville. ✓ @EmilyGorcenski · 6m



I normally wouldn't care. But the NYT seems to optimize for Nazi apologetics these days.

Emily G. Cville. Retweeted



Summer Brennan ✓ @summerbrennan · 30m



just so we're clear, a MAGA hat is the klan hood of the 21st century



7



56



123



Emily G. Cville. ✓

@EmilyGorcenski

Follow



This is still a fascist party slogan you fucking wanker

Donald J. Trump ✓ @realDonaldTrump

#AMERICA FIRST!

5:15 AM - 20 Jan 2018

28 Retweets 198 Likes



4



28



198



And if that were not enough:



8. Defendant Kristopher Goad is a resident of Richmond, Virginia. He is in communication a Gorcenski, violent, and connected to Philly Antifa.





Goad, in conjunction with Philly Antifa, beat a man with an American flag on the ground on August 12. Tom Keenan, for example, of PhillyAntifa is center frame. See *supra*.



Before August 11, 2017, Defendant had never seen Chris Cantwell, Plaintiff herein. On August 11, 2017, Goad was wearing glasses, sported a disco mustache, had longish hair, and wore a blue jean jacket. Exhibit C.

Other Important Persons and Entities

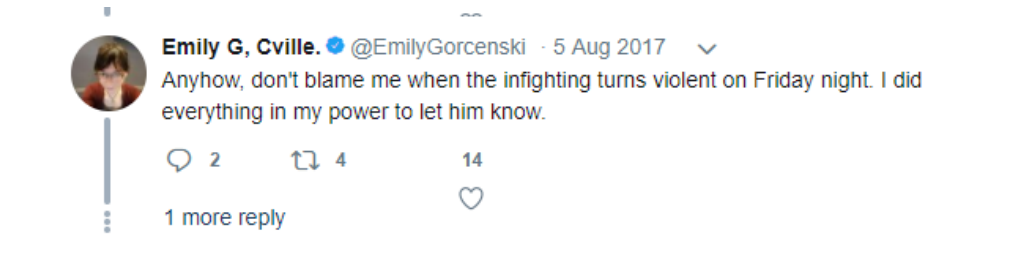
9. The Antifa Squad consists of Paul Minton, Brian Bozicek, Mikey Longo, Jr., and two others, believed to be Shawn Menne and Robert Medallo. All are adherents of PhillyAntifa.
10. “Beanyman” is an adherent of ANTIFA. He is a short white male with a beard. On August 11, 2017, he wore a brown-green t shirt and a black beany. Exhibit D
11. Thomas Jackson Massey is an adherent of PhillyAntifa. He is a large white male, with a beard. On August 11, 2017, he was wearing an orange long sleeved t shirt under a short sleeved blue short sleeved T shirt, thus exposing his orange undersleeves. Exhibit E
12. Tom Keenan is an adherent of PhillyAntifa. He is a portly while male. On August 11, 2017, he was wearing a blue shirt and blue pants.

Statement of Facts

August 11, 2017- Morning

13. Chris Cantwell was asked to speak at an August 12, 2017 rally in Charlottesville in support of the Robert E. Lee Monument, which the City of Charlottesville had voted to remove.
14. According to Defendant Gorcenski, “Being a local activist, it was pretty much the first and last thing on my mind for nine weeks. We made a concerted effort to get the permit revoked. There was quite a bit of preparation.”

15. On or about August 5, 2017, Gorcenski alluded to “violent infighting” planned for the night of Friday, August 11, 2017.

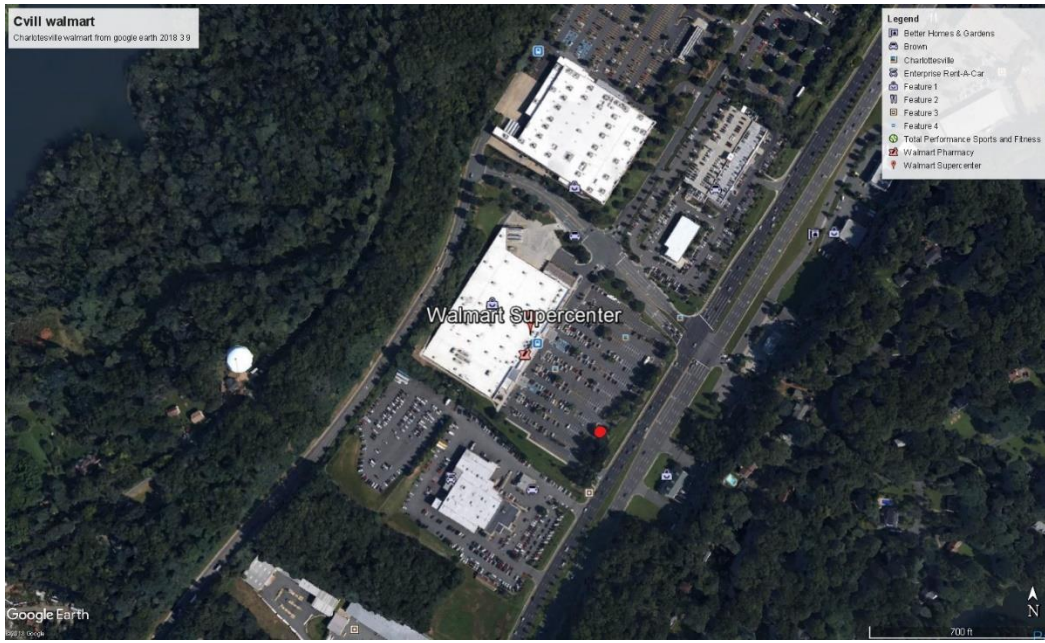


16. On or about August 10, 2017, Cantwell announced on his website Christopher Cantwell.com, that he would have a meet and greet for fans and listeners in Charlottesville on August 11, 2017. The location, date and time were confidential, and could only be accessed by paying subscribers. Prior to the announcement, he stopped taking new subscribers, thus limiting the detailed event information to paid subscribers who subscribed *before* the announcement.
17. Gorcenski was surreptitiously a prepaid subscriber. By 8.51 a.m. on August 11, 2017, Gorcenski, the self-described “biggest agitator” for ANTIFA in its capital,

Charlottesville, knew the time and location of Cantwell's event.



18. Knowing Cantwell's intention to be at a certain place at a certain time, Gorcenski planned an operation to kill, bodily injure, and/ or instill fear into Cantwell. PhillyAntifa would do the dirty work.
19. Cantwell arrived at the Walmart at 975 Hilton Heights Rd Charlottesville Va., at about 11.45 a.m. For orientation purposes only, Cantwell is at the red dot (approximate, from Google Earth).



20. At 11.48, a silver SUV hatchback arrived and visibly slowed as it passed Cantwell's location (hereinafter the Eavesdropper Vehicle). The yellow area is an uninvolved person.



21. At 11:54, a person believed to be Shawn Menne, of PhillyAntifa, walked up and began recording with a hand held device. Menne passed around Cantwell's rear, and wound up on his right, still recording. Cantwell did know Menne. At 12:55, Cantwell told Menne "Everything's fine, just no sudden moves, ok, pal?" Menne then walked off towards WalMart. Menne was engaging in reconnaissance of the target.
22. At 12.00 noon, Menne returned in the company of four other persons, Paul Minton, Michael Longo, Jr., and, upon information and belief, Robert Medallo, and Brian Bozicek (hereinafter the Antifa Squad"). All are associated with PhillyAntifa.
23. The Antifa Squad worked its way around the side of Cantwell's gathering. Cantwell suggested to his crowd "Don't interact with them, leave them alone." The Antifa Squad worked its way around to the rear of Cantwell's gathering. Minton and Medallo approached closer through the parked vehicles. Cantwell asked them to "Keep your distance from the vehicles, guys." Minton began recording, as did Medallo. They and the others milled around a bit, and then Minton began communicating on his phone, while the others moved towards him. At 12.02, they all milled around a bit at the front of a silver vehicle, and then started walking together towards the Wal Mart building.
24. The Antifa Squad walked back to its approximate starting point, about 10 yards from Cantwell's gathering. At 12.03, Longo approached to within about two yards and began exchanging words. Cantwell warned him to "keep your [expletive] distance from us," and to "back up." Medallo then approached and insults were exchanged. Because the

Antifa Squad would not back up, Cantwell turned around so that they could see the firearm in its holster on his belt. Cantwell holds a concealed carry permit from New Hampshire. The Antifa Squad moved off about 10 yards. More insults were exchanged. At 12.03, Cantwell again suggested that the Antifa Squad “Take a [expletive] couple of steps back and not engage with us.” At 12.04, Antifa had approached again. Cantwell again warned “you’re getting a little close to us pal, and I know ya’ll’ve got a [expletive] habit of getting in trouble.” Minton then began communicating again. At 12.04, Cantwell showed them the firearm in his belt holster again. One of the Antifa squad said they were “ENTEf,” a euphemism for Antifa. More words were exchanged. Minton was still communicating. At 12.05, Minton stopped communicating, and the Antifa Squad became very quiet. At 12.07, they moved off towards the WalMart building, and then to the right into the parked vehicles.



25. Faced with Cantwell’s firepower, the Antifa Squad changed the operation from a physical attack to a “swatting” operation. “Swatting” is accomplished by calling in a

false police report of a targeted person with a gun, in the hopes that the police will arrive and the dicey circumstances will result on the target being killed, shot, or arrested.

26. At approximately 12:14, Albemarle County Sherriff received an anonymous call to the effect that “Large group of neo Nazis in the parking lot protesting in the parking lot called says they all have guns but not threatening anyone-have been harassing some customers and creating a problem.”

27. At 12:21:28, Albemarle County Sherriff received an anonymous call: “got another report that a tall skinny pock marked face with a eagle holding an anvil about 6’3 190-200 pulled a gun on someone walking by, chambered a round and told him not to walk any closer and called him a vulgar name.” Also at 12:21:28, the report came in that “it was a black hand gun.” In fact, Cantwell’s firearm was black. He never touched it, nor did anyone else touch nor draw any firearm.

28. At 12:22:13, “Devin,” apparently a Wal Mart employee, (434-973-1412 is Walmart’s phone number) “Caller is with Walmart now saying customers are reporting that the group is now pointing the guns at people that are coming near their vehicles” At 12:23:00, the sheriff’s department dispatcher upgraded the incident to Priority 1. At 12:27:24, dispatch center is holding radio traffic because of the Wal Mart Priority 1 incident. Also about this time, a white van arrived at the Walmart parking lot, as did a truck similar to Gorcenski’s. Gorcenski claimed she arrived at about 12:10, and stayed for 15 minutes.

29. At 12:29:31, a deputy reported to dispatch: “AP96 large group in the parking lot and alongside the road, no weapons being displayed at this time.” Two deputies had arrived on the scene.
30. At 12:29:34, the deputy with sunglasses called to Cantwell’s gathering, and Cantwell walked towards them.
31. At 12:29:33, the white van was still there, as was the red truck similar to Gorcenski’s (red arrow).



32. A champagne colored minivan arrived behind the deputies at 12:29:38.



33. At 12:29:43, "All other incoming units can back down to a priority 2."

34. At about 12.30, Gorcenski took an image of Cantwell interacting with the police.

35. About a minute and a half later, the Champagne minivan moved up near the deputies.

The champagne minivan pulled off at about 12:31:12.

36. At 12:31:34, the Deputy with sunglasses asked Cantwell for name and address.

37. At 12:31:47, the Eavesdropper Vehicle arrived.



38. At 12:37:01, a Police radio identified Cantwell as Chris Cantwell of Keene, NH. The green arrow denotes a police vehicle that has just arrived. There are no vehicles nor officers near the red truck similar to Gorcenski's. The word "brandishing" cannot be heard on the radio call.



39. At 12:38:20, Dispatch recorded, “Neg on direct witness per AP32” AP 32 is a deputy, probably the bald one.
40. The red truck similar to Gorcenski’s left the parking lot between 12:38 and 12: 41. No one went from the red truck similar to Gorcenski’s to the Eavesdropper vehicle, nor vice versa.
41. Cantwell’s gathering ended without further incident. Cantwell did not set foot in the Wal Mart that day.
42. At 1:26 p.m., Gorcenski tweeted out the image she took at 12:30, with the caption “Cantwell being questioned by cops after allegedly brandishing a gun. The picture accompanied the tweet, flipped to conceal the location of the camera.





This is the actual image.

43. That night, at about 9.00 p.m., Gorcenski was livestreaming from Nameless Field in Charlottesville, Va. At 2.59, Gorcenski said, “We saw Christopher Cantwell have a rally today (unintelligible) at the Wal Mart parking lot um we were there to capture that, ah the media showed up to capture that...we did not call in that..ah... brandishing the gun, that was a customer...inside the store, ***which is proof that it is not just the “Antifa” that he is terrorizing but actually the community in and of itself.*** We didn’t need to do that...we got to the meetup a few minutes late...” [Emphasis added] According to Gorcenski, Cantwell having a gathering for an hour is “terrorizing” Antifa, and also “terrorizing” the Charlottesville “community.” This shows Gorcenski’s actual malice against Cantwell.

44. On October 29, 2017, Gorcenski met with the FBI in an effort to bring federal charges against Cantwell.

45. According to the FBI,

“She stated that she first encountered Cantwell at the Wal Mart parking lot on Rt. 29 North. GORCENSKI stated that she learned that the meeting of white supremacists, including Cantwell, was to take place at the Wal Mart that morning through Cantwell’s website. GORCENSKI said she went to the Wal Mart “to get a sense of who was going to be there” (at the 8/12 Unite The Right rally scheduled for the next day.) GORCENSKI was asked whether or not she verbally engaged with Cantwell while at the Wal Mart, and she said she did not engage with him at all. She said she remained in her vehicle in the parking lot and observed the group of people from a distance. She said a short time later officers from the Albemarle County Police Department (ACPD) arrived, one of whom parked his police vehicle adjacent to hers. GORCENSKI said she was able to overhear the police radio from that vehicle when the officer called in an identification check on an individual whom she later determined was Cantwell. She said she could hear the radio traffic that identified Cantwell while the officer was talking to him. GORCENSKI said there were approximately 30-40 young men with Cantwell at the time. She advised she remained in the parking lot observing for approximately 15 min. She said this occurred at about 12:10 pm on Friday, August 11, 2017. GORCENSKI said she observed Cantwell, along with the group of young men, enter the Wal Mart. She said she left at this time.” [FBI 302] [Emphasis added]

46. At a hearing in the General District Court of Albemarle County, on November 9, 2017, Gorcenski testified:

Page 126:

A. Earlier in the afternoon of August 11th Mr. Cantwell had a meet up in the Walmart parking lot up on 29 North. I was present and observing from a distance and I witnessed as police arrived on the scene and questioned Mr. Cantwell.

Q How did you know it was Mr. Cantwell?

A I recognized him at first because he was listed as a headliner for the Unite the Right Rally so I had done my research as far as who the speakers were. And when I was

there, there was---happened to be an Albemarle County Police officer who had parked next to me. He was standing outside of his vehicle taking notes and I overheard on the radio that an ID check came back for Mr. Christopher Cantwell of Keene, New Hampshire and I heard this while I was watching two officers talk to him.

Page 153

A I said that I observed from several rows away and that's a picture that I took from several rows away.

Q And somehow you were able to publish on Twitter that he was getting questioned by cops, questioned by cops after allegedly brandishing a gun, isn't that right?

A That is what I heard from the **police scanner**, yes. [Emphasis added]

Gorcenski could not possibly have been in the red truck "several rows away" and in the Eavesdropper vehicle at the same time.

47. Gorcenski's Antifa Squad at WalMart that day was conduct directed toward the Cantwell that Gorcenski intended to cause fear or that she knew or should have known that it would do so. As shown by his repeated warnings to the Antifa Squad, Cantwell experienced a reasonable fear of death, or bodily injury, as shown by his repeatedly warning the squad off.

48. Gorcenski's Antifa Squad's swatting Cantwell at WalMart that day was conduct directed toward the victim that Gorcenski intended to cause fear or that she knew or should have known that it would do so. As shown by his cooperation with the deputies and their not charging him, Cantwell experienced a reasonable fear of possible death, or bodily injury attendant to the detention, possible arrest, or possible incarceration.

49. In the late afternoon, Cantwell found out that a tweet of him being questioned by the police had appeared on the violent Antifa website itsgoingdown.org. After the Antifa Squad at Wal Mart, Cantwell's fear increased that Antifa would mass attack him with the intent to cause him death or bodily injury.

50. In reaction to his fear of another Antifa mass attack, at night, when he was on UVa. property and unarmed, Cantwell refused to participate in the Jefferson Monument event without assurances of law enforcement presence, which assurances he received.

August 11, 2017, -Early Evening

51. Sometime after 8.11 p.m. (sundown) Gorcenski arrived at Nameless Field in Charlottesville, Va., the capital of Antifa, and waited for the Monumentals to arrive while livestreaming.

52. Gorcenski maliciously commented that the Monumentals were “weak little people without constitution and without skill.” They were “a lot of pathetic people about to march in with tiki torches. I don’t know of anything less menacing than tiki torches...
53. Gorcenski kept up the running malicious commentary. “A lot of things I really want to yell to antagonize them right now, but I’m not going to because I want to be respectable in front of the press.”
54. . Gorcenski lamented, We’ve got fascist toilets over here, the portajohns. Were I to run a violent op, those portajohns are on a hill and they are probably pretty easy to push over, but I am not running a violent op, shoutout to Agent Wolfe of the Richmond FBI, talked with him today... Emily later explained, [] “Somebody, some fucker online called in a threat And “And the minute I post a picture of myself exercising my second amendment rights they are talking about how its incitement and how it’s obvious that I’m planning to attack the rally. They fucking tried to swat me today because of that. They don’t give a shit about nonviolence.” Gorcenski did not mention her “violent infighting” tweet of August 5.
55. Concerning the Monumentals, Gorcenski opined, “They don’t care about the First Amendment. These people don’t give a fuck...they don’t give a fuck about the First Amendment. They don’t see free speech as a value in a moral society for mutual benefit. They see free speech as an argument or as a rhetorical device to win an argument. And that’s it. They don’t care about free speech.

56. Once the torches were lit, Gorcenski walked through the Monumentals, with more running malicious commentary. "...march up hill, gonna slip and fall on their ass and we'll have like nazi bowling, its gonna be fucking hilarious... poor preparation that they have carried with them throughout their life... this whole security theater is because they are afraid of Antifa."
57. Gorcenski boasted, "This whole thing they are doing is all hilarious because this is all security theater...that they need to do so that they have an air of legitimacy. They're all worried about Antifa, I'm walking through the middle of them... Like we're gonna have an Antifa attack or something like that...when one of the biggest agitators of all this just walks straight through their group."
58. After searching through all of the Monumentals for Cantwell, Gorcenski once again engaged in conduct with the intent to place Cantwell in fear of death or bodily injury, or reasonably should have known that such conduct would do so. Gorcenski found Cantwell in the throng, and taunted him. (Cantwell's words are in italics).

How was your Wal Mart meetup, Chris? *I'm sorry?* How was the Wal Mart meetup? *How was the Walmart meetup? Who are you? Were you the fucking asshole who made a false report? Is that who you are?* No I got there late. *Next time don't f*****g drink all night. Who drank all night?*

By his words, Cantwell gave Gorcenski actual notice that he did not want to be contacted further by Gorcenski. Exhibit DD

59. Gorcenski accosted Cantwell specifically to let him know that another, unseen Antifa was affiliated with the Wal Mart Squad, had been surreptitiously observing him, and intended to put him in fear that an Antifa Squad might be lurking somewhere out there in the dark waiting to cause him death or bodily injury while Cantwell was unarmed on UVa property. Gorcenski also accosted Cantwell to get within striking distance of Cantwell, thus further putting him in fear of death or bodily injury. Gorcenski may also have been broadcasting Cantwell's current appearance for identification purposes. Cantwell's insult back to Gorcenski was actual notice to Gorcenski that he did not want to be contacted nor followed.

60. Later, as the march neared the Rotunda, Gorcenski said, "Rather than worry about the domestic terrorists crossing the lawn, the cops are worried about the (unintelligible).

August 11, 2017--- Later that Evening

Nota Bene: [MP __] are video clips or images attached hereto. The video clips can be viewed with VCL Media player. Key "e" allows the user to advance frame by frame. As the events described occurred over approximately 25 seconds, the clips should be viewed at regular speed, and also frame by frame.

61. Defendant Goad and ANTIFA arrived at the Monument before the Monumentals, Gorcenski, and Plaintiff. When Gorcenski arrived, she took care not to film the faces of the Antifas already there by intentionally pointing the camera at the ground.

62. The statue of Jefferson faces generally north, towards University Avenue. The Rotunda building is behind him, or generally south. A rough diagram is attached as Exhibit G.

63. For orientation purposes, an ANTIFA group had a large white sign on the south face of Jefferson. An ANTIFA in a wheelchair (hereinafter “Wheelchair”) had taken up a position at the northeast corner of the Monument. [MP1]

64. For orientation purposes, by approximately 10:07 p.m., ANTIFA had gathered around the base of the monument. Defendant Gorcenski met the head of the Monumental column at the stairs of the rotunda, walked through it, and picked it up as it deflected to the west side of the monument. She then followed it, now filming the Monumentals faces, as if searching for someone. She stopped near the northwest corner and filmed as the column went by. Defendant Goad and Beanyman were northwest corner of the monument. Tom Massey and his wingman, Tom Keenan, both of Philly Antifa, were on the west face of the monument. Gorcenski crossed the north face of the monument filming from west to east, approaching Wheelchair. [MP2] A blinding white camera light was in place near the northwest corner of the monument, shining southward towards the Rotunda. [MP3]

65. Approximately 20 ANTIFA had chosen to link arms around the base of the Thomas Jefferson statue; the arriving Monumentals formed a doughnut around them. [MP4]

66. Cantwell, bald and wearing a black shirt with “Radical Agenda” on the front, came down the Rotunda steps, passed to the west of the Jefferson monument, around the north face, and was headed south across the east face. There he was identified and accosted by Michael Longo, Jr. recently of the Antifa Squad at Wal Mart. Longo bragged that he,

Longo, had called the police on Cantwell at Wal Mart. Cantwell continued around the south face, headed north to where Massey spontaneously attacked a person in a white jacket. Exhibit EE

67. At the northwest corner, Defendant Goad, and Tom Massey were near the west face of the monument. Massey spontaneously attacked a person in a white jacket who was filming him, Massey, with a phone. [MP6] No fight ensued. This can also be seen towards the end of Exhibit EE, in the upper left corner. Cantwell moved to the northwest corner.

68. During this time, Gorcenski, moved across the north face, passed around Wheelchair at the northeast corner and headed south across the east face of the monument, filming faces, as if looking for someone. Defendant Goad took up a position at the northwest corner. [MP7] Some distance off of the northwest corner, Plaintiff was standing in the Monumentals' doughnut. [MP5]

69. Gorcenski, still filming faces as if looking for someone, turned and moved south across the east face, then west across the south face, and then north along the west face, joined the Philly Antifa group, stopped behind Massey, then turned around and headed back south, finally advancing towards the Monumental doughnut, taking up a position some distance from the southwest corner, facing south. [MP9]

Actions of Gorcenski at the southwest corner

70. Gorcenski took up a position about 25 feet from the southwest corner, facing southwest, filming faces with the phone. Exhibit FF, frame left. Gorcenski was standing next to a man in a PBS shirt. Two other persons, “Lumberjack” and “Haircut” were exercising their rights to free speech. Exhibit GG. Gorcenski turned in place, still filming faces. Exhibit GG. Seconds later, Gorcenski was a few feet from the southwest corner of the monument. Haircut shoulder shoved Gorcenski, which is a crucial time marker. Exhibit HH. Haircut blocked Gorcenski’s phone with his hand. Exhibit HH. Gorcenski was still filming faces.
71. To Gorcenski’s right, Tom Keenan and Tom Massey, both PhillyAntifa, attacked the Monumentals, just as Gorcenski had foreseen in her August 5 tweet, and she was within mere feet of them when they did. Keenan was in a defensive bent over posture, while Massey was upright and fighting a man in a tank top, hereinafter “Tank Top.” Keenan continued to attack, and Haircut started fighting him. Exhibit II. In the background, Beanyman invited himself to the Tank Top/Massey fight and attacked Tank Top, who put Beanyman on the ground. Exhibit II.
72. Another camera shows that Massey attacked Tank Top armed with a soda bottle and a canister of pepper spray in his clenched fists. Tank Top defended himself, knocked Massey to the ground, knocked Beanyman to the ground, and then retreated approximately 6 feet, as did nearby Monumentals. [MP10]

73. Beanyman rose up from the ground, and changed front. Beanyman did not attack any of the others, but charged directly at a bald man with a black Radical Agenda t shirt-the Plaintiff. He and Defendant Goad led Antifa forward at Plaintiff. [MP12]

74. Beanyman's face was contorted with rage, his teeth were clenched, he assumed an attack stance, and drew back his left clenched hand to strike the Plaintiff. [MP12], [MP13][MP14].

75. A witness who was almost next to Cantwell testified on November 9, 2017: Prelim 212-233

Q Okay, okay, and that's beanie man on the ground, isn't it?

A Yes, it is.

Q Okay, and that's where he popped back up from?

A Correct.

Q Okay, bump it. Bump it. Bump it. Bump it.

Bump it. Bump it. Bump it. Bump it. Bump it. Bump it.

Bump it. Okay, now, when beanie man popped back up, what was he doing?

A He looked like he was coming right at Chris with a clenched fist.

Q Okay. What did his face look like?

A Enraged, furious, teeth clenched. He was furious.

Q Okay. And, I mean, in that picture you're right behind Chris. What do you think?

A If I was standing where Chris was standing and he was coming at me in that manner I would be ready to defend myself.

76. Outnumbered by Beanyman and Goad, Plaintiff pepper sprayed the leader, Beanyman, in the face at distance of about 12 inches. Beanyman retreated back to the Monument. Plaintiff retreated approximately five feet to the west. [MP15] Defendant Goad's glasses were on his nose.
77. Returning to the first camera, Beanyman popped up from the ground, attacking the bald man in the black Radical Agenda t shirt--Cantwell. Cantwell sprays him at about 5.38, far left of frame. Exhibit JJ.
78. While Beanyman was on the ground, Tom Keenan was getting the worst of the fight with Haircut, which is occurring about eight feet in front of Gorcenski. They disengage, and then Keenan comes back at Haircut, with pepper spray in his, Keenan's left hand. Exhibit JJ.



Keenan's left hand is almost center of frame. Gorcenski is frame right.

79. The second camera captures Keenan with pepper spray, and Gorcenski's reaction to it
upper left hand corner of frame.



Gorcenski is at left of frame. Haircut is just right of center. Keenan's hand is almost center, with the black dot in it. Gorcenski is reacting.

80. Returning to the first camera, after she reacts to Keenan, Gorcenski was standing near the southwest corner of the Jefferson Monument, facing roughly west. Exhibit KK. Haircut was about 6 feet from Gorcenski. Chris Schiano, a tall man in a green shirt with a backpack, is right behind Gorcenski.

81. Gorcenski looked to the front, then right front, and then turned to the right and looked behind (east), towards Lindsay Elizabeth Moers, a PhillyAntifa who had an asp fully deployed. [MP40a].

Actions of Defendant Goad near the northwest corner.

82. Near the northwest corner, Massey, Beanyman, and others attacked the man wearing a tank top. Massey attacked Tank Top armed with a soda bottle in his right hand and a canister of pepper spray in his left. Tank Top defended himself, knocked Massey to the ground, knocked Beanyman to the ground, and then retreated approximately 6 feet, as did nearby Monumentals. [MP10] Defendant Goad's glasses were on his nose.

83. Defendant Goad was near the northwest corner, approximately six feet to Beanyman's right and rear from Beanyman during Beanyman's attack on Massey. [MP11] Defendant Goad's glasses were on his nose.

84. Beanyman rose up from the ground, and changed front to face Plaintiff. He and Defendant Goad led ANTIFA forward at Plaintiff. [MP12] Defendant Goad's glasses were on his nose. Massey crawled away behind Beanyman.

85. Beanyman's face was contorted with rage, his teeth were clenched, he assumed an attack stance, and drew back his left clenched hand to strike the Plaintiff. [MP12], [MP13][MP14].

86. Outnumbered, Plaintiff pepper sprayed the leader, Beanyman, in the face at distance of about 12 inches. Beanyman retreated back to the Monument. Plaintiff retreated approximately five feet to the west. [MP15] Defendant Goad's glasses were on his nose.

87. Unaffected by Plaintiff's spray at Beanyman, within a split second Defendant identified Plaintiff as the sprayer and pointed to him for about two more whole seconds. [MP16] Defendant Goad's glasses were on his nose.

88. To Defendant Goad's left (south), Massey had gotten up and was brawling, and then kicked the head of a Monumental on the ground in a tracksuit (hereinafter "Tracksuit"). As Tracksuit attempted to rise up off the ground, Massey kicked him mightily in the torso, and then attacked with the pepper spray in his left hand in a northwesterly direction directly at the bald man in the black Radical Agenda shirt, rather than the several others on either side of him, who were moving forward to rescue Tracksuit. [MP17] Cantwell displayed pepper spray from the rear rank. About to be overwhelmed by four or five Monumentals, Massey turned around and attacked right back into the fight occurring to his rear and over Tracksuit.

89. ANTIFA shifted laterally to their own left, putting William Corey Lovell in front of Defendant Goad. [MP18] Defendant Goad's glasses were on his nose.

90. A man with a 35 mm camera (hereinafter "Cameraman") was to Defendant Goad's immediate right. A large bearded Monumental in a gray shirt and baseball cap with a flashlight (hereinafter "Flashlight") was to Cameraman's right, and between Defendant and Plaintiff. [MP19] Defendant Goad looked to his right (north). [MP20] Defendant Goad's glasses were on his nose.

91. While Goad was looking north, to Goad's and Cameraman's right, an arm with a dragon tattoo "(hereinafter Dragonarm') went between Cameraman and Flashlight and pepper sprayed Goad, to which he reacted by covering his face. Lovell reacted similarly. [MP21] Defendant Goad's glasses were on his nose.

92. At the time that Dragonarm sprayed Goad, Cantwell was approximately 10 feet from Goad, near the southwest corner, heading to the southeast. [MP21]

93. Cantwell was trying to stop Massey from joining the fight above Tracksuit. [MP22]

94. About three seconds after Cantwell's interaction with Massey, Dragonarm, not Cantwell, sprayed Defendant Goad. [MP23], [MP 21] Defendant Goad's glasses were on his nose.

95. At the northwest corner, two torch candles fell to the ground, and the respective lines parted. Lovell was in front of and to the left of Defendant Goad, both on the north side of the monument. [MP24] Defendant Goad's glasses were on his nose.

96. Defendant Goad and ANTIFA moved back across the north face approximately 4 feet, putting their front midway on the north face of the monument. A person in a white shirt with a tiki torch (hereinafter "White Shirt Tiki" approached Lovell and Defendant Goad. Goad has his hands in a curious "praying mantis" position. [MP25] By this time, Plaintiff had been near the southwest corner of the monument for approximately four seconds. Defendant Goad's glasses were on his nose.

97. White Shirt Tiki lowered his tiki torch and faked at Lovell. This caused White Shirt Tiki's torch candle to fall out of said torch towards Lovell. It bounced off of his thigh and onto the ground. [MP25] At this time, Plaintiff was near the southeast corner.

98. Defendant Goad looked at White Shirt Tiki's candle on the ground. White Shirt swung his rattan at Lovell, causing Lovell to retreat. Defendant's vision focused on White Shirt Tiki's candle and attempted to extinguish it. White Shirt Tiki swung his rattan at Defendant Goad, who saw it coming and retreated. [MP26] At the same time, to Goad's right, a man in a red shirt swung his rattan at Goad, which also caused Goad to retreat. [MP27] Defendant Goad's glasses were on his nose.

99. Goad and ANTIFA retreated east across the north face of the monument. [MP28]

Defendant Goad himself retreated across the north face of the monument to the northeast corner.

100. Upon reaching the northeast corner of the monument, unknown Monumentals were yelling out “Hold, Hold.” Goad, still with “praying mantis” hands, was near Wheelchair, smiling and laughing. Goad, possibly without his glasses, joined the cluster of ANTIFA near the center of the east face of the monument. Inside the cluster, an unknown person knowingly and intentionally released a noxious gas. An individual is seen to cough, and a man in a touring cap is heard to cough. Defendant Goad, now minus his glasses, for the first time wipes his face and eyes. [MP29] The excited utterance can be heard “f*****g ANTIFA just gassed themselves.” [MP30]

101. Goad himself was gassed. He made his way without molestation through the Monumentals leaning on a bearded PhillyAntifa named Caeden Famiglio, just after a person present says “strong smell of ‘gas,’ [MP50] [MP51] [MP30]

Actions of Gorcenski

102. After the Keenan spray, Gorcenski looked to the front, then right front, and then turned to the right and looked behind (east), towards Lindsay Elizabeth Moers, a PhillyAntifa who had an asp fully deployed. [MP40a]. Gorcenski had her phone in the right hand.

[MP40]

103. Beanyman, miraculously recovered from Cantwell's spray, positioned himself at the southwest corner and pulled out pepper spray. Massey was fighting across the west face in a southerly direction, with Plaintiff right behind him. As they approached him, Beanyman attempted to spray the bald man in the black Radical Agenda shirt, but his pepper spray failed. Beanyman looked at it, and then attempted to spray Cantwell again, but Beanyman's pepper spray failed again. A Monumental pushed Barnyman off of the corner.

104. Plaintiff turned and crossed the south face of the monument, approximately 10 feet from Gorcenski. [MP40].

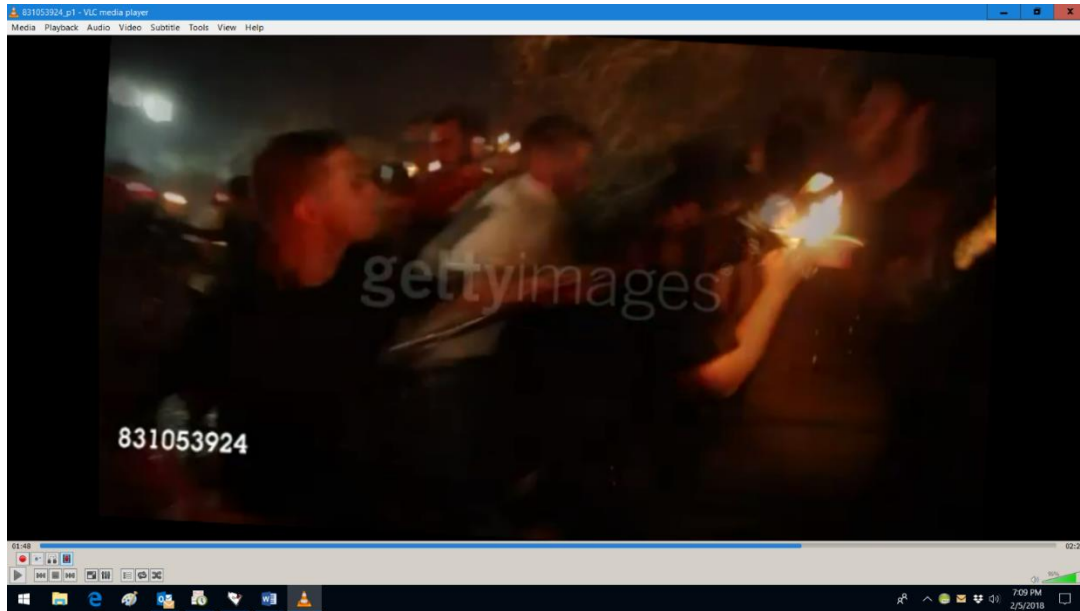
105. By the time Plaintiff was near the southeast corner he was blocked by Robert Medallo, of PhillyAntifa, who went towards the ground. [MP41a Screenshot] Christopher Thomas Schiano, a journalist with Unicorn Riot, a very tall man in a green shirt with a backpack, was to Gorcenski's right. [MP41b Screenshot] Cantwell was approximately 6 feet from Gorcenski, whose shoulders fill the frame. Gorcenski raised her phone and took a picture. Plaintiff is to Gorcenski's left. Gorcenski and Schiano block the view. [MP41]

106. This is the picture taken by Gorcenski:



The bald man in the black Radical Agenda shirt, Plaintiff, is to the left of frame.

107. Beanyman, even more recovered from Cantwell's defensive spray, was now brawling at the southeast corner of the monument, and sprayed Haircut full in the face with bear mace. Haircut retreated, running into Cantwell. A Monumental hit someone with a tiki torch, and fuel spilled, within a few feet of Gorcenski.



108. At the southeast corner of the monument, between Gorcenski/Schiano and the corner of the monument, Lindsay Elizabeth Moers raised her asp to strike. Plaintiff went forward to disarm her, calling “get that stick!” [MP34]
109. As Cantwell was attempting to disarm Lindsay Elizabeth Moers, Beanyman came off the monument and attacked Cantwell. Another Monumental (hereinafter “Headlock”) intercepted Beanyman and put him in a headlock. [MP35] [MP35a Screenshot]. Cantwell was bear maced by Beanyman. [MP36] [MP36a Screenshot]



110. Cantwell reacted to the pepper spray attack. [MP37]

111. At the time Cantwell was bear maced, Gorcenski's head was about level with Schiano's armpit, [MP42] and Gorcenski was immediately behind Cantwell.

112. After being sprayed, Cantwell moved southeasterly, turned around, and then retired out of the crowd away to the southeast. [MP42] He was treated for the effects of pepper spray. While at the monument, he had been personally attacked 5 times (Beanyman, Massey, Beanyman twice more when the pepper spray did not work, and then by Beanyman with Moers).

113. Officers Bryant and Climore, UVa. Police, arrived. [MP37]

114. Over at the northeast corner of the monument, unknown persons were yelling out “Hold, Hold.” [MP29] Gorcenski was standing opposite the eastern east face of the Monument, looking at her phone, and put her glasses in her hair. Defendant Goad then came around the northeast corner of the monument near Wheelchair, smiling and laughing. An individual is seen to cough, and a man in a touring cap in heard to cough. Someone remarked that “f*****g ANTIFA just gassed themselves.” Despite claiming to be pepper sprayed long before, for the first time Gorcenski wipes her face. Gorcenski is standing next to a short man in a yellow shirt (Yellowshirt), who covers his nose with the shirt. [MP43]

115. By approximately 10.17, the UVA ANTIFA and their white sign had passed unmolested through the Monumentals and took up a position at the base of an overhead light about 20 yards east of the monument, passing by a police officer while doing so. [MP44]

116. After she put his glasses in her hair, Gorcenski resumed livestreaming herself from his phone. Yellowshirt, with his shirt over his nose, can be seen in the background. Gorcenski claimed: “So I’ve been maced. There have been brawls. The Nazis f*****g attacked us. They pinned us around the statute. There are brawls. I got my glasses stuck in my hair.” Gorcenski also made her way unmolested through the Monumentals, to the UVA ANTIFA with their sign, and asking only for help to remove her glasses. [MP45]

117. Both Goad and Gorcenski were present at the ANTIFA gas release on the east face of the monument near the end of the event when persons were shouting “Hold, Hold.” This is an important time marker.

118. Defendant Goad spoke with Officer Thompson of the UVa. PD that night. He claimed that “a person sprayed me in the face with mace.” “He had a shaved head, black shirt. It said Radical Agenda on it.” Goad also described his assailant as muscular and 180- no 200 lbs. “After I was sprayed, um, I got minor punches to me I couldn’t see from who, um all I know I couldn’t open my eyes any more and someone carried me...er... guided me away from it, but also at the time I could not escape from it as well because there was a circle of people around me as well and it was just moving me around the statue at least twice.” Goad did not mention that Beanyman had attacked Cantwell, nor that he, Goad, could see and yell for 8 seconds after the Beanyman spray, nor that he, Goad, stomped at the torch on the ground, nor dodged a torch, both allegedly with his eyes closed, nor Caedon Famiglio’s walking him out right through the Monumentals from the east face of the monument after Antifa gassed themselves.

119. Gorcenski admitted to The Richmond Times Dispatch reported that she said, “We lost. We got our asses handed to us.”

120. In the cleanup after the August 11 event, UVa. Police recovered an empty canister of “Sabre Red” pepper spray.

August 12, 2017

121. After the Jefferson Monument event, Gorcenski saw the attached photograph of Cantwell spraying Beanyman near the northwest corner of the monument. Exhibit H. Even though she was on the other side of the fight and unable to see Beanyman attack Cantwell nor the actual spraying, Gorcenski tweeted out this image with the caption “This is Chris Cantwell deploying pepper spray against people who are clearly in de-escalation poses.” Gorcenski realized an opportunity to conflate her being sprayed by Keenan and/or Beanyman and/or Antifa with the image of Cantwell’s spraying of Beanyman in an effort to “take out” Cantwell’s speaking engagement on August 12 by having him arrested, to create a false narrative that the Monumentals had gratuitously attacked ANTIFA the night before, to thereby discredit, vex, harass, and intimidate Cantwell and those opposed to ANTIFA, and to cause Cantwell to be in reasonable fear or suffer death or bodily injury if arrested and jailed.

122. At approximately 9:00 a.m. Gorcenski contacted the University of Virginia Police. In her sworn statement to the magistrate, however, Gorcenski claimed that “I inhaled/was affected by a chemical spray” and “the overspray affected me directly. My eyes and sinuses were burning.” This is in contrast to what Gorcenski said on March 4, 2017:



123. Gorcenski now claimed that she identified her alleged sprayer as Cantwell from Exhibit H.

124. Officer Smallwood, UVa Police, would not swear to a warrant. Instead, he required Gorcenski to do so, but signed as authorizing it pursuant to Va. Code Sec. 19.2-71 and 72.

125. A warrant was issued at 9:38 a.m., unlawful wounding by acid or caustic agent under Va. Code Sec. 18.2- 52, a Class 6 felony, signed under oath by Gorcenski. A copy teste of the 18.2-52 charge is attached hereto as Exhibit I.

126. Gorcenski made sure that the warrants were issued, and then “leaked details on social media.”

127. On August 12, 2017, Gorcenski personally met with Goad and informed Goad that Christopher Cantwell was the Beanyman sprayer. Gorcenski also informed Goad that she, Gorcenski, had taken out a sworn warrant against Cantwell.

August 12, 2017-Morning

128. About 10.00 a.m. on August 12, a group of people including Cantwell were transported towards downtown Charlottesville, the capital of Antifa, and was dropped off on High Street. He and his compatriots walked south on Park St., and turned west on Jefferson St., which runs in front of the Albemarle County Courthouse.

129. As Cantwell approached the cannons in front of the courthouse on Jefferson St., the column stopped. Antifa was occupying Jackson Park, to their right front. The party moved on.

130. As Cantwell approached the corner of Jefferson St. and 4th St. NE, he met a heavily armed Antifa in tactical combat gear. A few yards further on was another, unarmed, but in tactical gear. A few yards further on, at the corner, was another squad of heavily armed Antifas--and Emily Gorcenski.

131. Gorcenski was filming from behind the heavily armed Antifas and eyeing Cantwell. This constituted following or contacting the victim after having been given actual notice, as set forth in Va. Code Sec. 18.2--60.3.



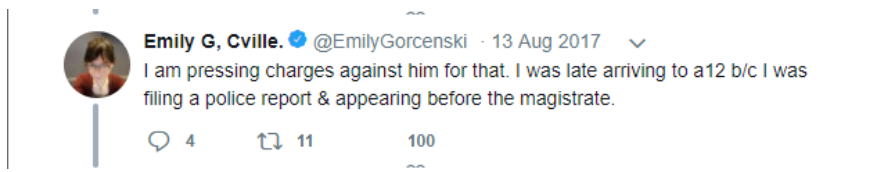
132. Cantwell and his compatriots proceeded towards the rally at Lee Park.
133. Unbeknownst to them nor Cantwell, a PhillyAntifa had taken up station along the route, just east of Lee Park, on the south side of Market Street, midway on the block.
134. Cantwell's party turned west onto Market Street, and walked up the north side sidewalk.
135. As the group and Cantwell approached the corner of Market Street and 2d Street NE, an Antifa in black track pants with three stripes on the outseam was lying in wait, just around the corner, facing west. As Cantwell passed the corner, the group was stopped by the crowd. The Antifa, disguised in sunglasses and a long wig, reached in his side pocket and withdrew a canister of high grade mace. He moved toward the now stationary Cantwell.
136. That Antifa was recently of the Wal mart Antifa Squad, and the one who accosted Cantwell at the Jefferson Monument and admitted calling the deputies on him. He

knowingly, intentionally and maliciously sprayed Cantwell in the face, ignoring all of the others with him. This was Michael Longo, Jr.

137. Cantwell screamed, and, blinded, was led past a Charlottesville Police Department car to the uncertain safety of Lee Park. Cantwell was yelling “I can’t see!”

August 13, 2017

138. Gorcenski tweeted:




139. Gorcenski also tweeted



August 16, 2017

140. On August 16, 2017, Gorcenski tweeted:



Emily G, Cville.  @EmilyGorcenski

I suggest you head to a magistrate, Mr. Cantwell. I filed the statement that got the warrant signed out.



Pangolin  @JohnQPangolin

Replying to @EmilyGorcenski

You need to see this. It seems one of the nazis came down off his crank binge. Sniffing & crying.
youtu.be/lyeTj002DCo

5:41 AM - 16 Aug 2017

56 Retweets 163 Likes



 13

 56

 163



Emily G, Cville.  @EmilyGorcenski · 16 Aug 2017 

Replying to @EmilyGorcenski

The great thing about having a media team shadowing you is we have clear video of you holding the mace before anything even starts.

 2

 18

 80



Emily G, Cville.  @EmilyGorcenski · 16 Aug 2017 

The other great thing is the photo showing you using it against people in nonviolent postures.

 1

 10

 60

After having signed the August 12 warrant, Gorcenski denied even doing so. Moreover, Gorcenski admits that her “team” was shadowing Cantwell on the night of August 11, and was targeting him.

141. By August 16, Gorcenski, the “media relations specialist for Antifa,” was still spreading the false statement that Cantwell was the only person who used pepper spray on August 11, and that despite her being within in inches of Cantwell when Beanyman bear maced him, further claimed that Cantwell had bear maced himself on August 11.

**Emily G, Cville.** 
@EmilyGorcenski

Follow 

It's even better when you know that he maced himself the first night.

**dorsey shaw** 
@dorseyshaw

it doesn't get much better than this

3:33 PM - 16 Aug 2017

39 Retweets 170 Likes



 6  39  170 



**deronaucoin** @deronaucoin · 16 Aug 2017 

Replying to @EmilyGorcenski

i think i saw a clip from him from Friday night talking about being maced. he did that to himself?? lol.

 1   2 

**Emily G, Cville.** 
@EmilyGorcenski · 16 Aug 2017 

He was the only one who sprayed mace, yeah it fucking lingers like hell

 1   4 

August 17, 2017

142. Based on Gorcenski's false information, on or about August 17, 2017, Defendant Goad travelled to Charlottesville and met with Sgt. Acord of the UVa. Police. He swore under oath to the sequence of events to Acord: "I saw a person in a brown shirt get pepper sprayed by a person I know is Christopher Cantwell. I yelled 'this man has mase [sic] and people started swinging torches at me. I dodged them and removed my prescription glasses. I saw a canister of citronella on fire and tried to exhaustion [sic] the fire with my foot. When I failed to do so, I looked up and Cantwell mased [sic] me, I could not see, [sic] beyond that but felt strikes to my body after that."

143. On August 17, 2017, and pursuant to Va. Code Sec. 19.2-71 and 72, Defendant Goad completed a form entitled "Criminal Complaint" before the magistrate. On it, Goad swore that the statements thereon were true to the best of his knowledge and belief, including the statement "Cantwell used a gel mase [sic] pepper spray at my face and cause [sic] me to lose my vision temporarily [sic]. I was struck by torches by unknown persons while my vision was gone." A copy teste of the Goad charges is attached as Exhibit J. It was issued at 12:04 p.m.

144. Sgt. Acord would not swear to the warrant; he, too, required Goad to do so, but Acord authorized it under Va. Code Sec. 19.2-71 and 72. This prompted the issuance of a third warrant for malicious gas release, a Class 3 felony.

145. That same day, August 17, 2017, Gorcenski tweeted out her personal score card³:



This shows her actual malice against Cantwell.

³ Baked Alaska is a person's nickname. He was bear maced and permanently lost part of his vision. On September 3, 2017, Gorcenski claimed that he maced himself. If so, why the hot pepper next to his name on August 17? Monoxide is another person's nickname. He was fired from his job.

August 18, 2017

146. Gorcenski met with Sgt. Acord on August 18, 2017. “Gorcenski referred to herself as a media relations assistant to Antifa.” And further, “Once they made it to the statue by the North end of the rotunda, Emily recalls seeing a person being hit by a torch and could smell fuel just before being sprayed in the eyes with pepper spray. ***Directly AFTER being sprayed, she was hit by a man wearing a swastika pin and her phone was dropped.*** She picked up her phone and located a woman who flushed her eyes with water.” [Emphasis added] Exhibit LL.

August 21, 2017

147. On or about August 21, 2017, Plaintiff turned himself in to the Lynchburg police. The Charlottesville magistrate denied bond.

148. On or about August 21, 2017, Plaintiff moved the Albemarle County General District Court for bond.

August 23, 2017

149. According to People Magazine, “Emily Gorcenski told the *Times* that she filed a report against Cantwell with the University of Virginia police after witnessing him pepper spray others on the night of August 11. She said she thinks her report led to one of his charges. He sprayed basically the whole group.” See contra, Exhibit I, the warrant signed under oath by Gorcenski; see also Paragraph 138.

150. Despite her claim that she had been hit by the Beanyman spray, Gorcenski falsely told the Richmond Times Dispatch that Cantwell had sprayed “the whole group.” This is curious, as on November 17, 2017, Gorcenski told the Charlottesville Daily Progress “In fact, it was a month before I even looked at any of that video because it was just too difficult to watch.” Charlottesville Daily Progress, 11/17/18.
http://www.dailyprogress.com/news/local/experts-citizen-arrest-warrants-can-prove-to-be-problematic/article_db6e4318-cc18-11e7-aa46-4b998107f3ac.html

August 31, 2017

151. On August 31, 2017, when Cantwell’s cases were called for the bond hearing, the Commonwealth of Virginia, by Robert Tracci, Esquire, Attorney for the Commonwealth, moved to amend the two Gorcenski charges, upgrading them from unlawful (a Class 6 Felony) to malicious (a Class 3 felony), which was allowed over Plaintiff’s objection.

152. Pursuant to Va. Code 19.2-120(d), a presumption against bond exists for any malicious wounding under Va. Code 18.2-51 et seq., which includes Va. Code 18.2-52, one of the charges that Gorcenski took out.

153. After the amendment, the Albemarle General District Court awarded Plaintiff a bond in the amount of \$25,000. A preliminary hearing was scheduled for November 9, 2017.

154. The Commonwealth appealed the bond decision to the Albemarle Circuit Court, which later that day denied bond on the grounds that the Va. Code Sec. 19.2-120(d) presumption against bond had not been rebutted.

October 3, 2017

155. On October 3, 2017, Gorcenski met with Sgt. Acord again. She claimed to have video of being hit on the head with a torch by a blond man at the monument on August 11 at a certain point in a video she found on September 1. Exhibit OO. At 0:01, Gorcenski can be seen adjusting her glasses. Blondie swings the torch five seconds later. Exhibit PP records Gorcenski's actual experience after adjusting her glasses. Gorcenski adjusts her glasses at 0:02, at the right edge of the frame. Gorcenski then retreats east across the south face of the monument; four seconds after she adjusts her glasses, she is out of the frame to the right, far from Blondie. Gorcenski submitted fabricated evidence to Sgt. Acord.

156. Gorcenski also included the location of the Unicorn Riot video, which includes video of Massey attacking Cantwell.

October 29, 2017

157. On October 29, 2017, Gorcenski met with the FBI in an effort to bring federal charges against Cantwell. Curiously, she made no mention at all of any second incident of affected by any pepper spray at the time of the Cantwell-Massey event.

158. To prompt federal charges, Gorcenski told the FBI a much different story:

“She stated that at this time, the “Swastika pin dude” physically shoved her back against the group of counter-protesters. The counter-protesters, behind her, some of whom she said were from Black Lives Matter (BLM) were chanting. She said that is when the fights broke out to her right. She stated that during this melee the “Swastika pin dude” punched the phone from her hand. She said she “kind of retreated” and realized she couldn’t escape [Pg 4] and there were “torches everywhere.” GORCENSKI said, “As I went back to get my phone, I felt my face burning.” She said she went in and retrieved her phone and that is when **someone hit her in the head with a torch.** She said she retrieved her phone and was able to escape the crowd, and by that point her face was “on fire, snot was coming out of my nose and I couldn’t see.” She said someone poured water on her face in order to alleviate her symptoms, then she was able to get her glasses on so she could see again.” Exhibit MM {emphasis added} [FBI 302]

This version contradicted Gorcenski’s statement to Sgt. Acord on August 18, 2017 where Gorcenski claimed spraying “in my eyes” before the phone drop. For the FBI, Gorcenski was sprayed AFTER the phone was lost, after a retreat, AFTER reentering the fray to look for the phone, AFTER retrieving it, AFTER Gorcenski was hit on the head with a torch, and only AFTER she “escaped the crowd” was her face allegedly on fire, etc. This version also contradicts her ability while “on fire, snot was coming out of my nose and I couldn’t see,” to livestream while navigating through the dense crowd to the UVa Students sign, when her only complaint to them was about glasses being stuck. Gorcenski also reported the fabricated torch hit as the truth to the FBI.

159. Gorcenski further told the FBI: “GORCENSKI was asked whether or not Cantwell specifically sprayed her in the face, or otherwise targeted her specifically, during the encounter at the base of the Jefferson statue on 8/11 and she said “no, he did not.”

This contradicted what was told to Sgt. Acord on August 17, 2017: : “Once they made it to the statue by the North end of the rotunda, Emily recalls seeing a person being hit by a torch and could smell fuel just before being sprayed in the eyes with pepper spray.” Exhibits LL and MM.

November 3, 2017

160. Sometime between November 3, 2017, and November 7, 2017, Defendant Goad met alone with Robert Tracci Esquire, Commonwealth’s Attorney for Albemarle County.

161. The recovered empty pepper spray canister was sent to the state laboratory for fingerprint comparison to Cantwell’s fingerprints only. Cantwell’s fingerprints were not on it.

November 8, 2017- Goad case

162. On or about November 8, 2017, approximately 19 hours before the preliminary hearing, Mr. Tracci informed defendant’s counsel that “Mr. Goad was no longer certain that the direct deployment of gel pepper spray he described in that complaint resulted from an

action by Mr. Cantwell.” Tracci also claimed “Mr. Goad will indicate that his glasses had been removed by that point making positive identification of Mr. Cantwell difficult.” Tracci also intended to continue to pursue the Goad charge anyway. See email of 11/8/17 at 2.38 p.m., attached hereto as Exhibit K. See, generally, MP 11-MP 30.

November 9, 2017-Goad case

163. On November 9, 2017, Defendant Goad testified that he had sworn out the warrant under oath. Goad testified that he signed the sworn statement. Goad admitted that the sworn statement was: “Cantwell used a gel mace spray at my face and caused me to lose my vision temporarily.”

164. Despite the light from scores of torches and the blinding camera light, after claiming 20/60 vision without his glasses, Goad testified that he agreed with Tracci that it would be fair to say if it were dark and there was a lot of chaos going on it would be difficult to identify everything that’s going on, everything happening, insinuating that Goad’s poor vision without glasses caused him to misidentify the two utterly different persons in Exhibit L. (Cantwell and Dragonarm) On Cross examination, Goad admitted repeatedly that his glasses were on his nose before claiming the video resolution was too poor to further say. Curiously, Goad gave an accurate description of Cantwell to Officer Thompson on the night of August 11, 2017 despite it allegedly being dark and “everything that’s going on, everything that’s happening” by November 9, 2017.

165. After meeting with Tracci, Defendant Goad's new sworn testimony was that "multiple people," but not Cantwell, had used gel mace pepper spray in Defendant's face.

166. After meeting with Tracci, Goad's new sworn testimony was that "I suffered more instances of being attacked with a caustic agent than in my original statement." Despite swearing only to gel mace from specifically Cantwell in his face, despite the fact that he could see and yell after the Beanyman spray, Goad now swore under oath for the first time that he had also been affected by overspray from the Beanyman spray. Despite the fact that he was behind Lovell and a good six feet to Cantwell's right yet showed no reaction, Goad also swore under oath for the first time that he was also affected by Cantwell's display against Massey.

167. Goad testified that "I was, I was in the room with Mr. Tracci when I found out that I had been hit multiple times."

168. Despite the video [MP10, 12] showing Goad watching Beanyman fight Tank Top, and seeing Beanyman join the fight, get thrown on the ground, and swing while on the ground, Goad testified that he did not see Beanyman strike anyone, nor be violent.
Exhibit NN.

169. After his meeting with Tracci, Goad abandoned the "Cantwell gel mace" version and testified that he instantaneously felt "burning on his face" after Beanyman's spraying,

though he managed to identify the sprayer, pointed at him, and yelled, curiously making no mention of any “burning on his face.”

170. After meeting alone with Tracci, and despite the video showing Goad behind Lovell, with his glasses on, and about 7 feet to Massey’s right, [MP17, 18], Goad further testified that he was also “affected” when Cantwell displayed at Massey. After his meeting with Tracci, and despite the video showing Dragonarm spraying Goad 4 seconds thereafter, Goad testified that he “was affected” in “a few seconds” to “completely lose [his] vision,” “feel burning on [his] skin, and difficulty breathing” by Cantwell’s spray, and not by Dragon Arm’s.

171. Despite just “completely losing his vision,” Goad nevertheless watched a person swing a torch at him.

172. Despite the video showing Goad retreating halfway across the north face of the monument, stomping at a torch candle, and avoiding another torch swing, Goad testified that he “tried to open my eye just enough to see one person I was familiar with, asked them to walk me out of [t]here.” That person he was familiar with was Caeden Famiglio, of PhillyAntifa, who helped Goad on the east face of the monument after the Antifa release thereon.

173. Despite previously testifying that Emily Gorcenski had told him that Cantwell was the sprayer, Goad testified that he only reviewed video and by that means alone identified Cantwell as the person who had sprayed gel mace in his face.

174. Goad attempted to explain how his story changed after his meeting with Tracci by claiming that his story had not changed after his meeting with Tracci.

November 9, 2017- Gorcenski case

175. Despite swearing under oath that she saw the man whose spray affected her, Exhibit I, Gorcenski testified that she did not in fact see the man spraying, but only a small altercation to her right.

176. After reporting to Officer Smallwood that she was “sprayed in the eyes with pepper spray,” and then swearing under oath that she was only affected by pepper spray after a fight broke out to his right, Gorcenski testified that she “was affected specifically by the Beanyman spray,” despite being on the opposite corner of the monument, about 30 feet away, with several bodies between them. [MP52; Gorcenski is the red circle; Cantwell is the blue oval.]

177. After reporting to Officer Smallwood that she “felt the burning in my eyes of pepper spray or mace. Soon my mucus membranes burned and I had trouble breathing,” and swearing that “I inhaled/was affected by a chemical spray” and “the overspray affected me directly. My eyes and sinuses were burning,” Gorcenski testified “I recall having a burning sensation in my face and my eyes and my nose and my eyes started to water and I started to lose my vision.” She then again testified that he only “inhaled the substance and it started burning in my nose and eyes.”

178. Despite video showing 21 seconds of Gorcenski retreating across the south face of the monument, taking a picture of Cantwell with his phone while doing so, being behind Cantwell when he was sprayed, reactivating her livestream on her phone, and walking unmolested out of the crowd while livestreaming, Gorcenski testified “I was *incapacitated* for a period of 15 to 30 seconds. Initially I just started seeing—feeling my eyes water. My initial reaction was to try to get to safety and to retrieve my phone which had been knocked out of my hand. Once I retrieved my phone, I tried to find a path to safety and could not see a way out.” [Emphasis added]. *See contra*, Exhibits LL and MM. Acord Report, FBI 302.

179. Despite never before mentioning two spray events (see Paragraph 139), at Tracci’s prompting, Gorcenski said for the first time that she was also affected by a second, separate event, that she saw on some video. Despite earlier swearing that she had not seen the man who sprayed on August 11, Gorcenski now claimed that she in fact saw Cantwell versus Massey, implying that this was a separate event from the Beanyman spray, even

though the two events were at the same place and only five seconds apart: “I observed Mr. Cantwell reaching over a group spraying pepper spray into the group of people I was surrounded by.” By that time, Gorcenski had “reviewed videos.”



In the referenced September 1 video, Cantwell’s arm is seen up in the air for only 1/5 of a second. In the Unicorn Riot video that Gorcenski reviewed, Cantwell’s arm is seen in the air for 4/5 of a second at maximum.

180. Despite video showing 21 seconds of Gorcenski retreating across the south face of the monument, taking a picture of Cantwell with the phone while doing so, being behind Cantwell when he was sprayed by Beanyman, reactivating his livestream on the phone, and walking unmolested out of the crowd while livestreaming, Gorcenski testified to different sequence of events that occurred after the second deployment: “After being

impaired, I looked for a way out of the crowd knowing I had only a few seconds before I would completely lose my vision. I could not find a way out so I tried to take a couple of pictures with my phone...”

181. Despite being mere feet away when Beanyman sprayed Haircut, and despite being within inches of Cantwell when Beanyman sprayed Cantwell, and despite being where “ANTIFA gassed themselves,” Gorcenski swore under oath that Cantwell was responsible for her spraying because “It was the closest to me and it was in a direction in which I was standing.”

182. Despite video of Dragonarm’s spray in her direction, Gorcenski testified that she was not affected by Dragonarm’s spray because it was not in her direction and three feet further away than Cantwell’s.

November 9, 2017- 6:00 p.m.

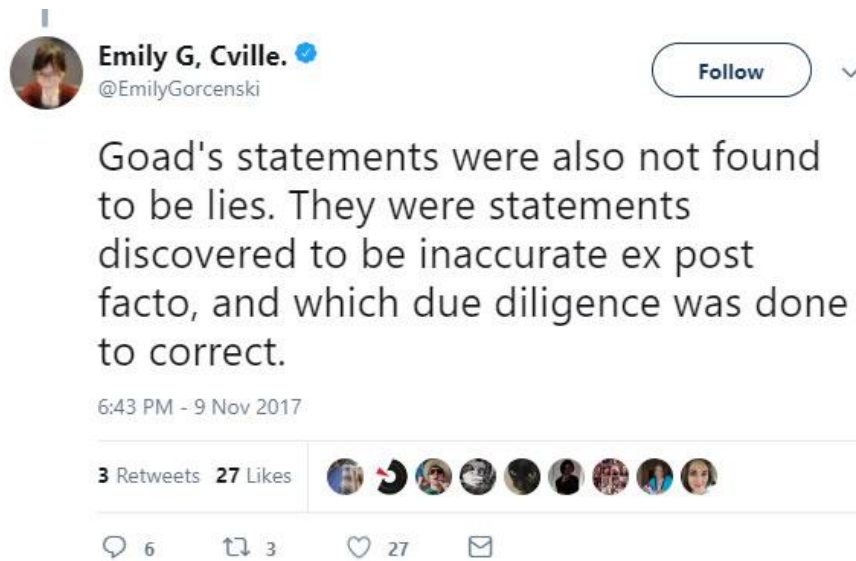
183. On Goad’s charge, the Albemarle General District Court found as follows: “I order the accused discharged at preliminary hearing and the charge dismissed. Exhibit J, second page, upper left hand corner.

184. On Gorcenski's 18.2-52 charge, the Albemarle General District Court found as follows:

"I order the accused discharged at preliminary hearing and the charge dismissed. Exhibit

I. second page, upper left hand corner.

185. Gorcenski, the Antifa media relations specialist in Charlottesville, the capital of Antifa, commented:



November 17, 2017

186. After the malicious wounding by caustic substance charge was dismissed, Gorcenski disavowed the actions of swearing to and signing the warrant in Exhibit I: "My accusation was never that Christopher Cantwell approached me directly with deliberate intent to injure me." In doing so, Gorcenski contradicted what was told to Sgt. Acord on August 17, 2017: "Once they made it to the statue by the North end of the rotunda, Emily

recalls seeing a person being hit by a torch and could smell fuel just before being sprayed in the eyes with pepper spray.” Exhibit LL.


187. Despite signing the warrant for unlawful wounding by caustic substance on August 12, 2017, Gorcenski now claimed that “My accusation was that he used it in a public space and that I was affected by it,” they said. “I didn’t actually need to know that charge. The police were able to work with the magistrate to look up what the appropriate charge was, based on [the officer’s] testimony and my testimony.” Now it was Officer Smallwood’s fault, too.

December 7, 2017

188. Plaintiff posted bond and was released from jail, having served 107 days or durance vile based on the false, fraudulent, and changed statements of Goad and Gorcenski. Due to threats against his life from inmates, Cantwell was placed in solitary for about a month, and segregated after that. He endured daily threats from the Crips and the Bloods across the hall. One of the conditions of bond were that he reside at a secret address, which was not mentioned in court, but provided to the court on a piece of paper so it would not be mentioned in court.

189. On December 20, 2017, Gorcenski discovered the city of the secret residence and posted a page from the docket of the Albemarle County Circuit Court webpage:



Emily G, Cville.  @EmilyGorcenski

And Chris Cantwell goes on trial on February 12.

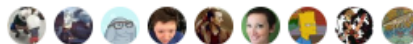
Case Number: CR17000784-00	Filed: 11/28/2017
Defendant: CANTWELL, CHRISTOPHER CHARLES	Sex: Male
Address: LEESBURG, VA 20175	
Charge: ILLEGAL USE OF GAS: MALICIOUS	Code Section: 18.2-312
Offense Date: 08/11/2017	Arrest Date: 08/23/2017

Hearings

#	Date	Time	Type
1	12/04/2017	9:30AM	Grand Jury
2	01/31/2018	2:00PM	Motion - Other Pre-Trial
3	02/12/2018	9:15AM	Jury Trial

12:08 PM - 20 Dec 2017

9 Retweets 28 Likes



2



9



28



190. On December 21, Gorcenski tweeted:



@@@@ @amal_monstah · 20 Dec 2017
Do we know who is out on bond and who waits incarcerated?

1



Emily G. Cville. @EmilyGorcenski

Replying to @amal_monstah

Cantwell under house arrest in Leesburg.
Kessler out on Bond.

The rest held without Bond.

2:35 AM - 21 Dec 2017

1 Like



1



191. On January 15, 2018, Gorcenski tweeted:



Emily G. Cville. @EmilyGorcenski · Jan 15
Wow this is a weird coincidence.



Police investigate KKK flyers found around Loudo...

Law enforcement officials in Loudoun County, Virginia, are investigating several reports of Ku Klux Klan flyers found over the weekend.

wtop.com

3

13

14



Emily G. Cville. @EmilyGorcenski

Follow

I wonder who else is hanging out in
Leesburg these days.

10:45 AM - 15 Jan 2018

10 Likes



10



192. On February 17, 2018, at about 10.00 a.m, there was a knock on the door of the secret residence. Two persons were present. Another person, not Cantwell, answered the door. The two began haranguing, and then addressed the person who opened the door specifically by name, ----, why is there so much hate in your heart? The door was shut in their faces and locked. The two people walked directly back to their cars, not knocking on anyone else's door. Cantwell immediately locked the door at all times and installed a video doorbell.

193. On or about February 23, 2018, Gorcenski accessed the internet, and accessed Cantell's website, only to find that Cantwell posted to his own blog a tweet from Gorcenski's public twitter feed, which claims to have 24,000 followers. Gorcenski contacted Robert Tracci, Esquire, Commonwealth's Attorney for Albemarle County, claiming that Cantwell had contacted her, and demanding that Cantwell be arrested for violation of his bond.

194. On or about March 1, 2018, Gorcenski accessed the internet, accessed Gab, a social media site, hunted down Cantwell's account, and then searched though his posts. She found one message that mentioned lies, and found another posted by someone other than Cantwell, that did mention her peripherally. Gorcenski again contacted Robert Tracci, Esquire, Commonwealth's Attorney for Albemarle County, again claiming that the posts

she herself sought out were indirect contact and/or harassment, and demanding Cantwell's arrest for violating the conditions of bond.

195. On or about March 8, 2018, Gorcenski was served with a subpoena duces tecum for her communications with Defendant Goad. At Gorcenski's prompting, five days later, on March 13, 2018, the Commonwealth filed a Motion to Revoke or Modify bond, on the unstated grounds that Cantwell had done something to violate some unmentioned bond condition.

Claims for Relief

First Cause of Action

Conspiracy to Violate Civil Rights

196. On the morning of August 12, 2017, the minds of Gorcenski and Goad met to violate Cantwell's constitutional rights. Gorcenski and Goad were motivated by an invidiously discriminatory animus towards Cantwell as a member of the class of whites who disagreed with Defendants' politics. The purpose of the meeting of the minds was to jointly falsely accuse him of felonies, and thereby deprive him of the equal enjoyment of his rights under the United States Constitution by fraudulently inducing his arrest and prosecution, in violation of the Fourth and Fifth Amendments as guaranteed by the Fourteenth Amendment. Cantwell lost his liberty for 107 days, and suffered diverse other injuries, and thereby was injured by the overt act of Gorcenski

informing Goad that the bald guy in the Radical Agenda shirt was Chris Cantwell, and supported by the fact that Gorcenski had sworn out a warrant to that effect, resulting in Goad's subsequent falsely swearing out a felony warrant against him, all in violation of 42 U.S.C. 1985(3).

197. Cantwell claims compensatory damages, punitive damages, costs and reasonable attorneys fees, and asks that this Court temporarily restrain and then enjoin Gorcenski and Goad from any further violations.

Second Cause of Action

Malicious Prosecution

198. Plaintiff reasserts and realleges the foregoing paragraphs as if fully set forth herein.

199. Goad and Gorcenski initiated the prosecutions in Exhibits I and J both of which terminated in a manner not unfavorable to the plaintiff.

200. The prosecutions were without probable cause.

201. Goad and Gorcenski acted with actual malice.

202. Plaintiff has had to expend monies to defend against Defendants' claims, has had direct injury in the loss of present and future earnings and profits in his business, and has suffered injury to his reputation and good name.

Third Cause of Action

Abuse of Process

203. Plaintiff reasserts and realleges the foregoing paragraphs as if fully set forth herein.

204. Defendant Goad's purpose in swearing under oath "Cantwell used a gel mase [sic] pepper spray at my face and cause [sic] me to lose my vision temporarily [sic]" and his other contradictory and false statements was to punish, vex and harass a political opponent rather than to bring an offender to justice. Defendant Gorcenski's purpose in making false statements to police to obtain arrest warrants, her other contradictory and false statements, and her fabrication of evidence were to prevent Cantwell from speaking, and to punish, vex and harass a political opponent rather than to bring an offender to justice.

205. Defendants Goad and Gorcenski's alteration of their sworn testimony after meeting with the Commonwealth's Attorney were acts in the use of process not proper in the regular prosecution of the proceedings. These actions were motivated by actual malice.

206. Plaintiff has had to expend monies to defend against Defendants' claims, has had direct injury in the loss of present and future earnings and profits in his business, and has suffered injury to his reputation and good name.

Fourth Cause of Action

False imprisonment

207. Plaintiff reasserts and realleges the foregoing paragraphs as if fully set forth herein.

208. By making false statements under oath, based on tainted information, and by communicating this false information to the UVa Police, the magistrate, and the

Albemarle County General District Court, Goad and Gorcenski caused the illegal detention of the Plaintiff's person, by the unlawful execution of lawful process. These actions were motivated by actual malice.

209. Plaintiff has had to expend monies to defend against Defendants' claims, has had direct injury in the loss of present and future earnings and profits in his business, and has suffered injury to his reputation and good name.

210. Plaintiff will elect his damages for this cause of action after the jury renders its verdict.

Fifth Cause of Action

Stalking

(Defendant Gorcenski only)

211. Plaintiff reasserts and realleges the foregoing paragraphs as if fully set forth herein.

212. Va. Code 8.01-42.3 creates a civil action for stalking.

213. By participating in the Antifa hit squad and the swatting at Wal Mart, by accosting Cantwell before the torchlight march, by taking a warrant out on him on August 12, 2017, by filming him behind armed supporters on August 12, by fabricating evidence, by attempting to call down federal charges on Cantwell, by broadcasting the secret location, and by demanding Cantwell's arrest for violation of bond conditions, Gorcenski on more than one occasion engaged in conduct directed at Cantwell with the intent to place him in reasonable fear of death or bodily injury. As shown by his defensive actions of warning the Antifa hit squad off, showing his firearm, cooperating

with police, dismissing Gorcenski before the march, arming himself on August 12, and turning himself into police, Cantwell reasonably feared death or bodily injury from Gorcenski.

214. By participating in the Antifa hit squad and the swatting at Wal Mart, by accosting Cantwell before the torchlight march, by taking a warrant out on him on August 12, 2017, by filming him behind armed supporters on August 12, by fabricating evidence, by attempting to call down federal charges on Cantwell, by broadcasting the secret location, and by demanding Cantwell's arrest for violation of bond conditions, Gorcenski on more than one occasion engaged in conduct that she knew or reasonably should know, that such conduct would place Cantwell in reasonable fear of death or bodily injury. As shown by his defensive actions of warning the Antifa hit squad off, showing his firearm, cooperating with police, dismissing Gorcenski before the march, arming himself on August 12, and turning himself into police, Cantwell was reasonably feared death or bodily injury from Gorcenski

215. By insulting Gorcenski about drinking all night on the evening of August 11, 2017, before the torchlight march started, Cantwell gave Gorcenski actual notice that he did not wish to be contacted or followed by Gorcenski.

216. By participating in the Antifa hit squad and the swatting at Wal Mart, by accosting Cantwell before the torchlight march, by taking a warrant out on him on August 12, 2017, by filming him behind armed guards on August 12, by fabricating evidence, by attempting to call down federal charges on Cantwell, by broadcasting the secret location, and by demanding Cantwell's arrest for non-violation of bond conditions,

Gorcenski continued to contact Cantwell directly and indirectly after said actual notice.

As shown by his defensive actions of warning the Antifa hit squad off, showing his firearm, cooperating with police, dismissing Gorcenski before the march, arming himself on August 12, and turning himself into police, Cantwell reasonably feared death or bodily injury from Gorcenski.

217. Pursuant to Va. Code 8.01-42.3, Cantwell may claim for compensatory damages, including the costs of the action, and punitive damages. Pursuant to Va. Code Sec. 19.2-152.7 et seq., Cantwell asks that this court issue an emergency and permanent protective order.

Sixth Cause of Action

Va. Code Sec. 8.01-42.1

218. Plaintiff reasserts and realleges the foregoing paragraphs as if fully set forth herein.

219. By participating in the Antifa hit squad and the swatting at Wal Mart, by accosting Cantwell before the torchlight march, by taking a warrant out on him on August 12, 2017, by filming him behind armed supporters on August 12, by attempting to call down federal charges on Cantwell, by broadcasting the secret location, and by demanding Cantwell's arrest for violation of bond conditions, Gorcenski has subjected Cantwell to acts of intimidation, harassment, and violence directed against his person motivated by animosity against him because of his race, to wit: white.

220. By falsely taking out a felony warrant on or about August 17, 2017, Defendant Goad has subjected Cantwell to acts of intimidation and harassment directed against his person motivated by animosity against him because of his race, to wit, white.

221. Pursuant to that section, Cantwell claims damages, including punitive damages, and in the discretion of the court to an award of the cost of the litigation and reasonable attorneys' fees in an amount to be fixed by the court.

PRAYER FOR RELIEF

Wherefore, Plaintiffs respectfully request an award of the following relief:

201. Damages in an amount in excess of \$107,000 from each Defendant;

202. Punitive damages in the amount of \$350,000;

203. Costs and reasonable attorneys fees;

204. Such other relief as to justice shall seem meet.

A JURY TRIAL IS DEMANDED

Christopher Cantwell

By Counsel

/s/

Elmer Woodard

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